

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CrI. M.C. No. 2690/2008 & CrI. M.A. 9918/2008**

% DATE OF DECISION : 22nd AUGUST, 2008

AHSHAN @ SHANU

..... Petitioner

Through: Mr. Sumit Kr. Khatri, Advocate

versus

STATE AND ORS.

....Respondents

Through: Mr. R.N. Vats, APP for the State.
Mr. Mohit Vohra, Advocate for
respondent Nos. 2 and 3.
SI Rajkuar, PS Nangloi.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

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| 1. Whether Reporters of local papers may
be allowed to see the judgment? | No |
| 2. To be referred to the Reporter or not? | No |
| 3. Whether the judgment should be reported in the digest? | No |

J U D G M E N T

MANMOHAN, J: (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 94/2002 registered with PS Nangloi, Delhi, under Sections 363 and 366 IPC as well as the proceedings arising therefrom and now pending in the court of Shri A.K. Arya, ASJ, Rohini Courts, Delhi.

2. The facts of this case are that on 4th February, 2002, Respondent No. 2, i.e. father of the girl, made a complaint stating that

his daughter, Sayma, was missing from her family home. In pursuance to the complaint filed by Respondent No. 2, the present FIR was registered. Later on, it transpired that the Petitioner had married Sayma on 6th June, 2002. Since then they have been happily living together. In fact, on 12th April, 2003, Ms. Syma gave birth to a male child.

3. The present petition for quashing is supported by an affidavit of Respondent No. 2 wherein he has stated that all the disputes between him and the petitioner have been amicably resolved and he has no objection if the impugned FIR filed by him is quashed by this Court.

4. Ms. Sayma is also present in Court and she has been identified by her counsel. She makes a statement that she is living with the Petitioner and that she has no complaint against him.

5. Consequently, this Court sees no useful purpose in allowing the present proceedings to continue any further and the impugned FIR No. 94/2002 registered with PS Nangloi, Delhi, under Sections 363 and 366 IPC as well as the proceedings arising therefrom and now pending in the court of Shri A.K. Arya, ASJ, Rohini Courts, Delhi, are hereby quashed.

5. The present petition is allowed in above terms. Order dasti.

August 22, 2008

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MANMOHAN, J.